IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH.

C.W.P. No. 16027 of 2005

Date of Decision: September 11, 2006

Ramesh Kumar

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mrs. Daya Chaudhary, Advocate,
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana,
for the respondents.

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M.M. KUMAR. J. (ORAL)

In pursuance to our order dated September 4,2006, the General Manager, Haryana Roadways, Faridabad, (respondent No.3) is present in the Court. Through the learned State counsel, he has apprised the Court that the impugned order dated January 21, 2003 (P-10) regularizing the service of the petitioner w.e.f. February 14, 2000 instead of March 11, 1997 stand withdrawn. As a consequence, the order passed by this Court on December 20,2001 directing the regularisation of services of the petitioner w.e.f.

March 11, 1997 stand restored. It is appropriate to mention that in the aforementioned order passed by this Court in Civil Writ Petition No. 16311 of 1998, it was conceded that the services of the petitioner were regularized during the pendency of the petition w.e.f. March 11, 1997 by the respondent State. However, the Bench has issued directions to the respondents to consider the case of the petitioner w.e.f. December 15, 1995 or any other date anterior to March 11, 1997. It was under the garb of the aforementioned direction that the services of the petitioner were ordered to be regularized w.e.f. February 14, 2000 by the impugned order annexure P-10, which has now been withdrawn vide order dated September 8, 2006. Copy of the order dated September 8, 2006 has been placed on record as mark 'A'.

In view of the above, once the order has been withdrawn, nothing survives for consideration in the present case. However, we make it clear that the withdrawal of the order would be subject to all just exceptions or any other order passed against the petitioner by this Court or any other Court.

The petition stands disposed of in the above terms.

(M.M.KUMAR)
JUDGE

September 11, 2006
sanjay

(M.M.S.BEDI)
JUDGE